

Application No. 10/742,892  
Amendment dated May 19, 2006  
Response to Official Action of January 20, 2006

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claim 1 (withdrawn - currently amended): A modular spa comprising:

a spa shell including ~~at least one support member integrally molded therewith;~~

- (i) a bottom and a side together defining a fluid support surface; and
- (ii) a support member integrally molded with the side, the support member comprising one of a metal extrusion and a polymeric extrusion, the side comprising a polymeric sheet molded around a portion of the extrusion; and

a support frame supporting the spa shell at the at least one support member.

Claim 2 (withdrawn): The modular spa according to claim 1, wherein the support frame comprises a plurality of elongate polymeric support struts, and the support struts are secured to the support members.

Claim 3 (cancelled).

Claim 4 (withdrawn - currently amended): The modular spa according to claim ~~3~~1, wherein the side comprises a substantially upright side wall and a rim extending from and surrounding the side wall, and the support member is integrally molded with the rim.

Claim 5 (withdrawn): The modular spa according to claim 4, wherein the rim is integrally molded with the side wall.

Claim 6 (withdrawn): The modular spa according to claim 4, wherein the support member includes a substantially horizontal top surface, and a substantially vertical outer surface, and the rim includes a rim top extending substantially horizontally and outwards from the side wall over the top surface, and a rim face extending substantially downwards from the rim top and over the outer surface, the rim face being distinct from the side wall, the rim top and the rim face substantially surrounding the support member.

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Claim 7 (withdrawn): The modular spa according to claim 6, wherein the support member is integrally molded with the rim top and the rim face.

Claim 8 (withdrawn): The modular spa according to claim 6, wherein the vertical outer surface of the support member includes a first substantially vertical support surface, and a flange extending outwardly from the first support surface, and the rim face includes a first substantially vertical face disposed over the first support surface, and a lip extending substantially outwards from the first vertical face and surrounding the flange.

Claim 9 (withdrawn): The modular spa according to claim 8, wherein the flange is integrally molded with the lip.

Claim 10 (withdrawn - currently amended): The modular spa according to claim 9, wherein the lip is integrally molded with the rim vertical face, and the rim face is integrally molded with the rim top.

Claim 11 (cancelled).

Claim 12 (cancelled).

Claim 13 (currently amended): The spa shell according to claim ~~12~~16, wherein the rim is integrally molded with the side wall.

Claim 14 (cancelled).

Claim 15 (currently amended): The spa shell according to claim ~~14~~16, wherein the support member is integrally molded with the rim top and the rim face.

Claim 16 (currently amended): ~~The spa shell according to claim 14, wherein~~ A spa shell comprising:

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a bottom and a side together defining a fluid support surface, the side comprising a substantially upright side wall and a rim extending from and surrounding the side wall; and

a support member integrally molded with the rim, the support member including a substantially horizontal top surface, and a substantially vertical outer surface, the rim including a rim top extending substantially horizontally and outwards from the side wall over the top surface, and a rim face extending substantially downwards from the rim top and over the outer surface, the rim top and the rim face substantially surrounding the support member, the vertical outer surface of the support member includes including a first substantially vertical support surface, and a flange extending outwardly from the first support surface, the rim face being distinct from the side wall and the rim face includes including a first substantially vertical face disposed over the first support surface, and a lip extending substantially outwards from the first vertical face and surrounding the flange.

Claim 17 (currently amended): The spa shell according to claim ~~16~~15, wherein the flange is integrally molded with the lip.

Claim 18 (currently amended): The spa shell according to claim ~~16~~17, wherein the lip is integrally molded with the ~~rim~~ vertical face, and the rim face is integrally molded with the rim top.

Claim 19 (currently amended): ~~The spa shell according to claim 11, wherein~~ A spa shell comprising:

a bottom and a side together defining a fluid support surface ; and

a support member integrally molded with the side, the support member comprises comprising one of a metal extrusion and a polymeric extrusion, and the side comprises comprising a polymeric sheet molded around a portion of the extrusion.

Claim 20 (original): The spa shell according to claim 19, wherein the polymeric sheet includes an acrylic layer, and an ABS plastic layer bonded to the acrylic layer, and the support member is disposed within the ABS plastic layer.

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Claim 21 (currently amended): The spa shell according to claim ~~14~~20, wherein the bottom is integrally molded with the side.

Claim 22 (currently amended): The spa shell according to claim ~~14~~16, wherein the rim face includes at least one of a permanent magnet and a metal strip for removably securing a cabinet to the spa shell.

Claim 23 (withdrawn – currently amended): A method of fabricating a spa shell comprising the steps of:

disposing a support member in a spa mold, the support member comprising one of a metal extrusion and a polymeric extrusion, the spa mold defining a shape of a spa shell;

with the mold, molding a polymeric layer around a portion of the support member, the polymeric layer adopting the shape of the spa shell, the molded and shaped polymeric layer having a bottom and a side together defining a fluid support surface, the support member being integrally molded with the ~~polymeric layer side~~; and

releasing the molded and shaped polymeric layer and the support member from the mold.

Claim 24 (withdrawn): The method according to claim 23, wherein the molding step comprises the steps of heating the polymeric layer until pliable, and vacuum forming the pliable polymeric layer to the shape of the spa shell and over the support member.

Claim 25 (withdrawn – currently amended): The method according to claim 24, wherein the releasing step comprises the steps of allowing the polymeric layer to cool sufficiently to retain the shape of the spa shell, and removing the cooled spa shell from the mold, ~~the spa shell comprises a bottom and a side together defining a fluid support surface, and the support member is integrally molded with the side.~~

Claim 26 (withdrawn): The method according to claim 25, wherein the side comprises a substantially upright side wall and a rim extending from and surrounding the side wall, and the support member is integrally molded with the rim.

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Claim 27 (withdrawn - currently amended): A spa kit comprising:

a spa shell ~~comprising a polymeric sheet~~ molded in the shape of a spa and including at least one support member ~~integrally molded with the molded polymeric sheet~~;

- (i) a bottom and a side together defining a fluid support surface; and
- (ii) a support member integrally molded with the side, the support member comprising one of a metal extrusion and a polymeric extrusion, the side comprising a polymeric sheet molded around a portion of the extrusion;

a support frame for supporting the spa shell at the at least one support member; and

a spa base for supporting the support frame.

Claim 28 (withdrawn): The spa kit according to claim 27, wherein the support frame comprises a plurality of elongate polymeric support struts, and the support struts are secured to the support members.

Claim 29 (cancelled).

Claim 30 (withdrawn - currently amended): The spa kit according to claim ~~29~~27, wherein the side comprises a substantially upright side wall and a rim extending from and surrounding the side wall, and the support member is integrally molded with the rim.

Claim 31 (withdrawn): The spa kit according to claim 30, wherein the rim is integrally molded with the side wall.

Claim 32 (withdrawn): The spa kit according to claim 30, wherein the support member includes a substantially horizontal top surface, and a substantially vertical outer surface, and the rim includes a rim top extending substantially horizontally and outwards from the side wall over the top surface, and a rim face extending substantially downwards from the rim top and over the outer surface, the rim face being distinct from the side wall, the rim top and the rim face substantially surrounding the support member.

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Claim 33 (withdrawn): The spa kit according to claim 32, wherein the support member is integrally molded with the rim top and the rim face.

Claim 34 (withdrawn): The spa kit according to claim 32, wherein the vertical outer surface of the support member includes a first substantially vertical support surface, and a flange extending outwardly from the first support surface, and the rim face includes a first substantially vertical face disposed over the first support surface, and a lip extending substantially outwards from the first vertical face and surrounding the flange.

Claim 35 (withdrawn): The spa kit according to claim 34, wherein the flange is integrally molded with the lip.

Claim 36 (withdrawn - currently amended): The spa kit according to claim 35, wherein the lip is integrally molded with the rim vertical face, and the rim face is integrally molded with the rim top.

Claim 37 (withdrawn): The spa kit according to claim 35, further including a cabinet for attachment to the spa shell proximate the support members.

Claim 38 (withdrawn): The spa kit according to claim 37, wherein the cabinet comprises a plurality of decorative panels, each said decorative panel being configured for attachment to the spa base and the spa shell.

Claim 39 (withdrawn): The spa kit according to claim 37, wherein the cabinet is configured for attachment at one end to the second vertical face below the lip, and for attachment at an opposite end to the spa base.

Claim 40 (withdrawn): The spa kit according to claim 37, wherein one of the support frame and the spa shell includes a first permanent magnet for removably securing the cabinet thereto.

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Claim 41 (withdrawn): The spa kit according to claim 40, wherein the spa base includes at least one of a second permanent magnet for removably securing the cabinet to the spa base.

Claim 42 (withdrawn): The spa kit according to claim 38, wherein the spa base comprises a plurality of interlockable base sections.

Claim 43 (withdrawn - currently amended): The spa kit according to claim ~~29~~27, wherein the support member comprises one of a metal extrusion and a polymeric extrusion, and the side comprises a polymeric sheet molded around a portion of the extrusion.

Claim 44 (withdrawn): The spa kit according to claim 43, wherein the polymeric sheet includes an acrylic layer, and an ABS plastic layer bonded to the acrylic layer, and the support member is disposed within the ABS plastic layer.

Claim 45 (withdrawn): The spa kit according to claim 44, wherein the bottom is integrally molded with the side.

Claim 46 (withdrawn - currently amended): A method of assembling a modular spa comprising the steps of:

providing a prefabricated spa shell, the spa shell comprising a polymeric sheet molded in the shape of a spa and including:

- (i) a bottom and a side together defining a fluid support surface; and
- (ii) at least one support member integrally molded with the ~~molded polymeric sheet~~ side, the at least one support member comprising one of a metal extrusion and a polymeric extrusion, the side being molded around a portion of the extrusion;

providing a spa base, and securing a support frame at one end to the at least one support member of the spa shell and at an opposite end to the spa base; and

securing a cabinet to the spa shell and to the spa base.